



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/879,322	06/20/97	HODGSON	14136

LM32/0603
TERRENCE W MCMILLIN
GERSTMAN ELLIS AND MCMILLIN LTD
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CHICAGO IL 60602

EXAMINER

PASTOURI, M

ART UNIT

PAPER NUMBER

2723

DATE MAILED: 06/03/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.

08/879,322

Applicant(s)

Hodgson et al

Examiner

Mehrdad Dastouri

Group Art Unit

2723

All participants (applicant, applicant's representative, PTO personnel):

(1) Mehrdad Dastouri (PTO)

(3) _____

(2) Mr. Terrence W. McMillin (Reg. # 30476)

(4) _____

Date of Interview Jun 2, 1999Type: ☒ Telephonic ☐ Personal (copy is given to applicant applicant's representative).Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:Agreement ☐ was reached. ☒ was not reached.Claim(s) discussed: Claims 1, 10 and 12

Identification of prior art discussed:

None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. McMillin proposed to amend the independent claims to add further details regarding contrast of the fruit particle images and acceptable size and shape of the fruit particles. The Examiner informed Mr. McMillin that the Application disclosure does not include any details regarding image enhancement or thresholding, and these changes would be considered new matter. The examiner also informed Mr. Mcmillin that the Application is not in condition for allowance.

Mr. Mcmillin agreed that there is not adequate image processing details disclosed in the Application and the devices utilized are mainly off-shelf items. Mr. Mcmillin indicated that he will discuss the conclusion of this conversation with the Applicant to decide how to pursue this Application.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.Mehrdad Dastouri

Jon Chang
Jon Chang
Primary Examiner

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.